

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-051183

01/31/2013

HONORABLE DOUGLAS GERLACH

CLERK OF THE COURT
C. Vigil
Deputy

IN RE THE MARRIAGE OF
THOMAS T BEATIE

MICHAEL P CLANCY

AND

NANCY J BEATIE

DAVID B HIGGINS

MINUTE ENTRY

Prior to the commencement of this proceeding, Petitioner's Exhibits 16 through 41 and Respondent's Exhibits 42 through 65 are marked for identification.

Northeast Facility, Courtroom 104

9:18 a.m. This is the time set for Trial. Petitioner, Thomas Beatie, is present with counsel, Michael Clancy. Respondent, Nancy Beatie, is present with counsel, David Higgins.

A record of this proceeding is made by audio and/or video in lieu of a court reporter.

Discussion ensues between the Court and both counsel.

Petitioner's Exhibit 66 is marked for identification.

The Rule of Exclusion of Witnesses having been invoked, Andrea Williams, Jennifer Sluter and Amber Nicholas are sworn, admonished and excluded from the courtroom.

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Thomas Beatie and Nancy Beatie are sworn.

For Petitioner:

Jennifer Sluter now testifies.

Petitioner's Exhibit 33 is received in evidence.

Petitioner's Exhibit 34 is received in evidence.

Witness is excused.

Andrea Williams now testifies.

Petitioner's Exhibit 35 is received in evidence.

Witness is excused.

Amber Nicholas now testifies.

Witness is excused.

Thomas Beatie now testifies.

Petitioner's Exhibit 17 is received in evidence.

Petitioner's Exhibit 39 is received in evidence.

Petitioner's Exhibits 23 through 27 are received in evidence.

Petitioner's Exhibit 21 is received in evidence.

Petitioner's Exhibit 40 is received in evidence.

10:46 a.m. Court stands at recess.

10:55 a.m. Court reconvenes. All respective parties present.

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Discussion ensues between the Court and both counsel.

Court's Exhibit 67 is marked for identification and received in evidence.

Thomas Beatie resumes the stand and further testifies.

Respondent's Exhibit 59 is received in evidence.

Petitioner's Exhibit 41 is received in evidence.

Petitioner rests.

For Respondent:

Nancy Beatie now testifies.

Respondent's Exhibit 42 is received in evidence.

Respondent's Exhibit 43 is received in evidence.

Respondent's Exhibit 47 is received in evidence.

With respect to the division of personal property,

IT IS ORDERED that Father shall prepare two lists containing all the personal-community property to be divided. Father shall give both the lists to Mother, who will pick one of the lists. The parties shall be awarded the property on each of their list.

To the extent that the parties dispute whether any such property is community property, those items should be identified on a separate list, and provided to the Court, upon which time the Court will schedule a telephonic conference with the parties' attorneys to discuss how best to proceed.

Respondent's Exhibit 55 is received in evidence.

Respondent's Exhibit 56 is offered, not received.

Respondent's Exhibit 57 is offered, not received.

Respondent's Exhibit 58 is received in evidence.

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Respondent's Exhibit 61 is received in evidence.

Respondent's Exhibit 62 is received in evidence.

Respondent's Exhibit 63 is received in evidence.

Petitioner's Exhibit 19 is received in evidence.

Petitioner's Exhibit 20 is received in evidence.

Respondent's Exhibits 45 and 46 are received in evidence.

Petitioner's Exhibit 22 is received in evidence.

Both sides rest.

IT IS ORDERED taking this matter under advisement.

There being no further need to retain the exhibits not offered in evidence in the custody of the Clerk of the Court,

IT IS ORDERED that the Clerk permanently release all exhibits not offered in evidence to the counsel/party causing them to be marked, or to their written designee. Counsel/party shall have the right to re-file relevant exhibits as needed in support of any appeal. Re-filed exhibits must be accompanied by a Notice of Re-filing Exhibits and presented to the Exhibits Room of the Clerk's Office. The Court's exhibit tag must remain intact on all re-filed exhibits.

IT IS FURTHER ORDERED that counsel/party or written designee take immediate possession of all exhibits referenced above.

ISSUED: Exhibit Release Form

12:05 p.m. Hearing concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.